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16/10/07

HIGH COURT OF CHHATTISGARH, BILASPUR

W. P (S) No.5690/2007

PETITIONER — Thomas Xess, Aged about 56 years, S/o Late Shri Jhagru Xess, R/o posted at S.D.O. Forest , Dhowrpur East Sarguja Division, Ambikapur, District Sarguja (C.G.)

Versus

RESPONDENTS

1. State of Chhattisgarh, Through Secretary Forest Department, Raipur (C.G.)
2. Chief Conservator of forest, D.K.S. Bhawan, Raipur (C.G.)
3. Shri R.K. Malhotra, S.D.O. Forest, O/o Deputy Divisional Forest Officer, Kunkuri, Forest Division, Jashpur (C.G.)

WRIT PETITION UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Shailendra Dubey, Counsel for the petitioner.
Ms. Sunita, Jain, Panel Lawyer for the State.

ORAL ORDER
(15.10.2007)

SUNIL KUMAR SINHA, J.

Heard.

Learned counsel for the petitioner submits that firstly, the petitioner was transferred from Dhowrpur to Dantewada, but the said transfer was quashed vide order dated 19th April 2007 passed by this Court vide W.P. (S) No.872/2007 and thereafter, another order dated 31st August 2007 (Annexure P/1) was passed, by which, instead of Dantewada, the petitioner was directed to join as Officer attached in the office of Divisional Forest Officer, Forest Division East Sarguja. He submits that thereafter, again this order was modified and instead of showing amendment in the earlier order, the petitioner has been shown

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to be transferred from Dhowrpur to the same place. He submits that challenging that order another Writ Petition has been filed.

In view of the change in the circumstance, when another petition is also filed against the second order of transfer, this petition has become infructuous.

This petition is disposed of, having become infructuous.

However, the petitioner shall be at liberty to raise all the grounds in the subsequent Writ Petition filed by him.

Sd/-
Sunil Kumar Sinha
Judge

shyna